

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CONSOLIDATED UNDER
CASE NO. 05-10155 PBS

YISEL DEAN, et. al.,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 05 CV 10155 PBS
)	
RAYTHEON COMPANY, et al.,)	
)	
Defendants.)	
)	
)	
LISA A. WEILER, et. al.,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 05 CV 10364 PBS
)	
RAYTHEON COMPANY, et al.,)	
)	
Defendants.)	
)	

JOINT PROPOSED REVISION TO THE SCHEDULING ORDER

Pursuant to Magistrate Judge Sorokin’s Order on Discovery Motions of March 2, 2006, the parties hereby submit this Joint Proposed Revision to the Scheduling Order.

The parties’ proposed schedules are set forth below:

	<u>Plaintiffs’ Proposal</u>	<u>Defendants’ Proposal</u>
Deadline for defendants to produce documents pursuant to Magistrate Judge Sorokin’s Order:	4/10/06	4/10/06
Fact discovery deadline:	5/24/06	5/24/06

Plaintiff's expert designation deadline:	6/9/06	6/9/06
Defendant's expert designation deadline:	7/9/06	7/9/06
Expert discovery deadline:	8/11/06	8/11/06
Summary Judgment Motion Filing Deadline:	---	9/18/06 ¹
Opposition to Summary Judgment Motions:	---	10/13/06 ¹
Hearing on Summary Judgment	---	11/13/06 ¹
Final Pretrial Conference:	9/6/05 ²	TBD
Jury Trial:	9/18/05 ²	TBD

Statement By Plaintiffs In Support Of Their Proposed Schedule

Plaintiffs do not believe that summary judgment is necessary or appropriate in this case. As this Court noted at the September 2005 status conference, this case involves disputes of fact that will come down to competing opinions of expert witnesses. Given that reality, plaintiffs do not believe there is any need to put off the September 18, 2006 trial date in order to accommodate a briefing schedule for summary judgment. Plaintiffs further believe that the additional discovery ordered by Magistrate Sorokin can be completed without putting off the trial date.

Statement By Defendants In Support Of Their Proposed Schedule

The only difference between plaintiffs' and defendants' proposals is the inclusion of summary judgment in the schedule. Defendants have also consistently indicated their desire to present summary judgment arguments to substantially narrow if not entirely dispose of the case. This court's prior orders have accounted for that by including

¹ Consistent with Summary Judgment deadline spacing from this Court's order of July 27, 2005.

² Unchanged from this Court's order of September 28, 2005.

summary judgment deadlines spaced consistently with those proposed herein. Magistrate Sorokin's discovery order recognized that the additional discovery allowed would push back the case schedule, which naturally includes the summary judgment dates. The trial date plaintiffs seek to hold was set based on the assumption that fact discovery would close in January, not May, as it will now. Defendants' proposal merely shifts the entire case schedule back accordingly, and leaves pretrial and trial dates to be determined since they may depend more on the court's calendar and may be impacted by the summary judgment outcome.

Respectfully Submitted,

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Dated: March 10, 2006

CERTIFICATE OF SERVICE

I, Jacob T. Elberg, hereby certify that a true and correct copy of this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as nonregistered participants on March 10, 2006.

/s/ David A. Bunis